

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of)
)
)

Vance Childers,)

Appellant.)
)

Docket No. 9452

ORDER SETTING REVISED BRIEFING SCHEDULE

An on-the-record videoconference was held on July 1, 2026 to discuss guidance on the opening briefing.

The parties are **DIRECTED** to concurrently file with the FTC’s Office of the Secretary:

1. By July 29, 2026, “proposed findings of fact, conclusions of law, and a proposed order, together with a supporting legal brief providing the party’s reasoning. Such filings, limited to 7,500 words, must be [contemporaneously] served on the other party and contain references to the record and authorities on which they rely.”¹
2. “Reply findings of fact, conclusions of law, and briefs, limited to 2,500 words, may be filed by each party within 10 days of service of the initial

¹ See FTC Rule 1.146(c)(3), 87 Fed. Reg. 60080 (bracketed matter added for avoidance of doubt).

filings.”—here, August 10, 2026, assuming initial filings are made on the July 29 date.²

3. In this case, these word limits apply to all of the opening filings in the aggregate, and to all of the reply filings in the aggregate. They do not apply individually to each filing listed. The parties are reminded that any individual filing must bear a consecutive page number.

4. All filings must also conform to the requirements in Attachment 1 to this Order.

5. With the filing of their reply papers, either side may request a closing statement, to be heard within 10 days of the date the reply papers are filed.³ Before making such a request, the parties must meet and confer to determine a mutually convenient date and time for oral argument, together with one or more alternatives.

6. All filing and service dates in this case must be made by 5 p.m. ET on the date specified.

ORDERED:

Jay L. Himes
Jay L. Himes
Administrative Law Judge

Date: July 7, 2026

² FTC Rule 1.146(c)(3).

³ FTC Rule 1.146(c)(4)(i)(C)(iii).

ATTACHMENT 1

FURTHER REVIEW FILING REQUIREMENTS

1. In addition to service with the Office of the Secretary, the parties must:
(a) transmit their review filings to the Office of Administrative Law Judges (“OALJ”) electronically by email (OALJ@ftc.gov): and (b) deliver by overnight mail one hard copy addressed as follows:

Jay L. Himes
Federal Trade Commission: Northeast Regional Office
1 Bowling Green
Room 318
New York, NY 10004
2. **The certificate of service for each paper shall further certify either that:**
 - a. **No portion of the filing was drafted by generative artificial intelligence (“AI”) (such as ChatGPT, Perplexity, Microsoft Copilot, Harvey.AI, or Google Gemini), or**
 - b. **Any language in the filing that was drafted by generative AI was checked for accuracy by human attorneys or paralegals using printed legal reporters or online legal databases.****Any filing that fails to comply with these mandatory certification requirements may be stricken.**
3. The electronic files must be double-spaced in MS-Word (.doc/.docx) format, using Times New Roman 12-point font, and in .pdf format.
4. Hard copies must be printed double-sided and must be spiral bound or coil bound. Velo binding or comb binding must not be used.
5. All proposed findings of fact must be supported by specific references to pages in the record, as contained in the Appeal Book (“AB”). Although the filed AB has numbered Tab dividers, those Tab identifiers should **not**

be cited to, or included in the AB citations. Filings that rely on Tab citations may be rejected.

6. All legal contentions **must** be supported by applicable authority.
7. All factual assertions made in a party's brief must cite to a corresponding proposed finding of fact. Citations to individual documents or items of testimony that do not also reference a corresponding proposed finding of fact may be disregarded.
8. When citing to pages in the arbitration hearing transcript, the parties must also identify the witness or other speaker by last name.
9. Do not use "*Id.*" as a cite for proposed findings of fact or reply findings of fact.
10. Do not cite to more than one copy of the same document. *E.g.*, if identical copies of the arbitrator's decision appear, at pages 100 and 200 of the AB, cite consistently to only one of the two copies.
11. Because the review here is *de novo*, parties should cite to evidence in the record and not simply to parts of the arbitration decision.
12. Reply filings must be limited to refuting issues raised by the opposing side and should not be used merely to bolster assertions or arguments made in an opening filing, or to restate the proposition in language that is believed to be more favorable to your position.
 - a. If you do not disagree with the opposing side's proposed finding of fact, set forth the opposing party's proposed finding of fact in your reply finding of fact, and then state that you do not disagree.

- b. If you disagree in part with the opposing side's proposed finding of fact, set forth specifically both (i) the part that you disagree with, and (ii) the part you do not disagree with.
 - c. The absence of a response to the opposing side's finding of fact, or a response stating "No Specific Response" or similar language, will be deemed acceptance of the finding of fact.
- 13. Reply briefs must reply to the arguments in the same order as the arguments were presented by the opposing party in its opening brief.
- 14. Reply findings of fact must set forth the opposing party's proposed finding of fact in single space and then set forth the reply in double space.
 - a. Reply findings of fact must be numbered to correspond to the opposing party's finding that the reply finding is refuting and must use the same outline headings used by the opposing party in its opening proposed findings of fact.
 - b. The opposing party's findings of fact must not be included in the word count applicable to reply findings of fact.